

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSEMILO TORRES,	:	
Plaintiff,	:	1:18-cv-1281
	:	
v.	:	Hon. John E. Jones III
	:	
CO. MADARAS, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

August 27, 2018

NOW THEREFORE, upon consideration of the complaint (Doc.1), and in accordance with the Court's Memorandum of the same date, it is hereby

ORDERED:

1. Plaintiff's application (Doc. 6) to proceed *in forma pauperis* is construed as a request to proceed without full prepayment of fees and is GRANTED.
2. Plaintiff's complaint is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and § 1915A(b)(1).
3. Plaintiff's motion (Doc. 2) for appointment of counsel is DENIED as the complaint lacks arguable merit in fact and law. *Tabron v. Grace*, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel),
4. The Clerk of Court is directed to CLOSE this case.

5. Any appeal from this Order is DEEMED frivolous and not taken in good faith. 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III
John E. Jones III
United States District Judge